

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: HUXLEY COMMUNICATIONS COOPERATIVE	DOCKET NO. TF-04-240 (TCU-00-63)
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ORDER APPROVING TARIFF

(Issued September 17, 2004)

On March 23, 2001, the Utilities Board (Board) issued an order approving the application of Huxley Communications Cooperative (Huxley) to amend its certificate of public convenience and necessity by adding the exchanges of Slater, Cambridge, and Elkhart, Iowa, to Huxley's existing service territory.

On September 6, 2001, the Board issued an order approving Huxley's proposed tariffs which added the Slater and Cambridge exchanges to Huxley's service territory. In that order, the Board stated that it would issue an amended certificate to Huxley that will authorize Huxley to provide service in the Slater and Cambridge exchanges and that the certificate would be amended so that any future changes in Huxley's service territory may be accomplished by the approval of proposed tariffs without the need for amending Huxley's certificate. The Board also stated that Huxley would not be authorized to provide service to the Elkhart exchange until it had approved tariffs on file showing the terms and conditions of service to that exchange.

On July 26, 2004, Huxley filed a proposed tariff to include the rates and conditions for service in the Elkhart exchange. In addition, Huxley filed a separate and distinct map that included all of the Elkhart exchange and that part of the Ankeny exchange that covers the city of Alleman, Iowa, currently served by Qwest Corporation (Qwest). In support of its tariff and map filing, Huxley states that it wishes to serve the entire community of Alleman as one exchange.

On August 16, 2004, Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (Iowa Telecom), filed an objection to Huxley's proposed tariff and map. Iowa Telecom states that it does not object to Huxley adding the Elkhart exchange, but that the Board should reject Huxley's proposal to add part of the Ankeny exchange to Huxley's service territory and reject Huxley's proposed exchange map. Iowa Telecom also raises concerns about the possibility of improper number assignment and regulatory accounting principles.

On August 26, 2004, Huxley filed a response to Iowa Telecom's objection. In its response, Huxley states that it believes it is in compliance with the Board's rules regarding the filing of exchange maps. Huxley also makes specific assurances that it will conform to the regulatory accounting and number assignment principles to address Iowa Telecom's concerns.

On August 30, 2004, Iowa Telecom filed a partial withdrawal of its objection to Huxley's filing, stating that Iowa Telecom is satisfied with Huxley's representations regarding conformance with Iowa regulatory accounting and number assigning principles, but objects to Huxley's proposed addition of the portion of the Ankeny exchange and the proposed map.

On September 10, 2004, Huxley filed a revision to its July 26, 2004, filing. In its revision, Huxley withdraws its initial proposed map that included the portion of the Ankeny exchange and concurs in the Elkhart exchange map of the incumbent local exchange carrier, Iowa Telecom.

The Board finds that the withdrawal of Huxley's proposed map renders Iowa Telecom's outstanding objection moot. Therefore, the Board will approve Huxley's proposed tariff filing to add rates and conditions for service to the Elkhart, Iowa, exchange. The proposed tariff has been found to substantially comply with the Board's rules regarding the filing of tariff pages. Huxley's certificate of public convenience and necessity has already been amended to reflect the addition of the Elkhart exchange. Therefore, no additional amendment to Huxley's certificate is required.

IT IS THEREFORE ORDERED:

The proposed tariff, identified as Docket No. TF-04-240, filed by Huxley Communications Cooperative on July 26, 2004, as amended on September 10, 2004, is approved and is deemed effective as of the date of this order.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 17th day of September, 2004.